

Quarterly Progress Report, July 1 to September 30, 2021
Remedial Action Oversight - Management Assistance of Chevron Questa Mine Cooperative Agreement
Assistance Agreement V-01F38201

SUMMARY OF ACTIVITIES

CERCLA-related work continues to be performed by the New Mexico Energy, Minerals and Natural Resources Department (EMNRD) - Mining and Minerals Division (MMD) - Mining Act Reclamation Program (MARF), in accordance with a recently awarded, 07/25/2019, U.S. Environmental Protection Agency (EPA) Region 6 - Chevron Mining Inc. (CMI) Superfund Site Remedial Action Oversight Management Assistance Agreement V-01F38201 (replacing V-00F63201), for work during this 4th Quarter FFY21. The documented hours reported below cover the period of July 1 through September 30, 2021. NMED's Administrative Services Division will submit signed copies of the Financial Status Reports directly to EPA.

MMD now operates under EPA's second modification of award under Assistance Agreement V-01F38201-4 (for \$120,000.00) relating to the Questa Project, received in October 2017 and in effect through September 30, 2021. MMD staff expended approximately 277.50 hours for the current reporting quarter, resulting in an estimated amount of \$15,199.27 being charged to the CMI remedial oversight activities detailed below. The Memorandum of Agreement (MOA) between MMD and the New Mexico Environment Department (NMED), dated 08/28/2017, and amended 6/30/2020, provides funding support for MMD's Questa activities under NMED's Cooperative Agreement with EPA. The remaining balance of Cooperative Agreement V-01F38201 at the end of the current reporting quarter is \$114,906.

A. Activities Performed for the Chevron Mining Inc. (CMI) Questa Mine Site by the EMNRD-MMD-MARP

This Quarter saw continued CERCLA work included interagency meetings, review of on-going technical studies and design efforts, COVID-19 policy implementation, ongoing ROD amendment process, kickoff meeting with Chevron contractors in preparation for Southeast Groundwater Extraction System (SEGES) Project, Group 1 Waste Rock Pile (WRP) Pilot Project construction and related activities, including actions in partial fulfillment of the First Partial Consent Decree (PCD).

Under Cooperative Assistance Agreement V-01F38201-2, MMD-MARP staff members H. Shepherd, K. Myers, C. Chisler, provide State oversight for ongoing or developing CERCLA field projects and design and construction programs, consideration of pertinent New Mexico Mining Act permit rules and regulations, and responding to varied requests for information from Chevron, EPA, DOJ, or NMED regarding data, design document reviews and comments, field assistance, planning, project-related studies, contributing content and language to legal documents, or participating in Questa-area community and local government meetings and ceremonies.

In response to changes in conditions and public health orders, the Agencies and CMI adjusted their COVID policies related to travel, inspections and telework. MMD personnel inspected CMI property five times during the quarter, including a site tour by upper management. Changes in public health orders have increased the maximum number of people allowed for inspections and re-instituted the use of masks by the end of this quarter. The Agencies continued work towards a proposed ROD amendment, which will be followed by a PCD amendment for the inclusion of the substantive requirements of the NPDES permit. In July, the Agencies, contractors and CMI convened a kickoff meeting prior to start of construction the SEGES project at the tailing facility in July. Inspections focused on the Group 1 Waste Rock Pile (WRP) Pilot Project, and the reclaimed Tailing Facility Cover Demonstration Project. By the end of the quarter, the Agencies reviewed multiple responses to comments, revised reports, and monitoring reports. In the Summer of 2021, the Group 1 WRP Pilot Project construction continued Goat Hill North and Capulin WRPs. Inspections of the Tailing Facility cover demonstration continued monthly through September.

Discussions have resulted plans by Chevron to submit a work plan for operation and maintenance to repair french drain at Spring 13. Parties began discussion and a draft AOC fourth amendment. Chevron notified agency in July 2021 of a 1,000-gallon spill of untreated mine water from the restart of the pumping system after schedule maintenance. Chevron recovered 119 gallons and 3 cubic yards of contaminated material and corrected the issue with the proper replacement parts.

B. Inventory of New Technical Documents

Documents listed below were received directly from Chevron and/or their contractors or routed to MMD by the EPA during the reporting period in electronic format or as hard copies. New documents are digitally downloaded from the ARCADIS-Chevron SharePoint web site. MMD's comments, suggestions, or corrections are bundled with other State agency reviews and submitted to EPA, then forwarded to Chevron for their management and contractors teams' response and return. Documents and presentations reviewed, contributed to, or archived during this Quarter are listed below:

- Early Removal Action AOC:
 - Chevron submitted a *Workplan Addendum-Lower Dump Sump* for the tailing removal at the Molino Ditch on September 23, 2021.
 - Chevron submitted on July 9, 2021, a revised *Cabresto Creek Wetland Restoration Area 2019 Construction Completion Report*. EPA approved the report on August 23, 2021.
- Early Design Actions AOC:
 - Chevron provided a *drone flyover* of the Group 1 WRP Pilot Project on September 21, 2021.
 - Chevron submitted Capulin Flume Drawing details on September 22, 2021.
 - Chevron submitted an updated *Spring Gulch Waste Rock Memorandum* on August 23, 2021. EPA approved the memo on September 2, 2021.
- Deliverables under Questa Mine First Partial Remedial Design/Remedial Action Consent Decree:
 - The EPA provided comments on August 12, 2021 for the *revision 3 of the 2020 Overall Site Plan*.
- Other:
 - Chevron submitted a Preliminary Design for Repair of Spring 13 French Drain on September 20, 2021. EPA provided comments on September 29, 2021.
 - Chevron submitted to MMD and NMED an *Asset Retirement/Removal Work Plan* on September 10, 2021. MMD and NMED provided conditional approval on September 30, 2021.
 - Chevron submitted a completion Report for corrective action of July 12, 2021 mine water spill (release from UG and UGW lines) on August 23, 2021, and subsequently revised the completion report on August 27, 2021.
 - Chevron submitted a revised plan on July 9, 2021 for the *Tailing Facility Performance Monitoring Plan*. EPA approved Revision 2 of both *Tailing Facility and Mine Site Performance Monitoring Plan* on August 17, 2021.
 - Chevron submitted the Mine Site and Tailing Facility 2021 1st Semi-Annual Reports on August 16, 2021.

- EPA provide comments on August 31, 2021,- for the *Tailing Facility Uranium Information Sheet*. Chevron submitted a revised Uranium Information Sheet on September 20, 2021.
- Multiple meeting notes documents for weekly meetings
- MMD receives copies of *Monthly Early Design Progress Reports* and the monthly tailing facility inspection reports. Also, beginning May 2017, CEMC provides a *Monthly Report for Activities Under the First Partial RD/RA Consent Decree*.
- Reporting for recent or continuing field studies is organized in libraries on the Arcadis/Chevron SharePoint web site. CMI and their contractors notify the agencies when new documents or data are posted.
- Weekly Teleconferences on AOC and PCD activities including the construction of Group 1 WRP Pilot Project and the monitoring of the reclaimed areas including Tailings Facility Cover Demonstration.

C. Weekly Breakdown of Staff Activities

In addition to review - and where requested - development of comments for documents listed above, MMD evaluates topics under current consideration and discussion, and completes assignments in preparation for weekly staff meetings, conference calls, technical subject calls, or planning and working sessions with all Questa parties. Technical sessions continue as necessary to clarify issues relating to the Mine, Mill, or Tailings Facility. Information presented in the Table below highlights significant MMD activities, communications, document acquisition, review and comments provided for reports or work plans, field inspections, meetings, site activities, or project information accomplished during this 3rd Quarter of FFY 21.

| Week | Activities |
|--------------|--|
| 7/1 to 7/4 | Drafting inspection reports, email, draft letter |
| 7/5 to 7/11 | Complete inspection reports, draft quarterly grant report, email, weekly meeting |
| 7/12 to 7/18 | Complete grant report, filing, weekly meeting, financial soundness test |
| 7/19 to 7/25 | Site tour w/upper management, field inspection, SEGES kickoff meeting |
| 7/26 to 8/1 | Email, weekly meeting, draft inspection report |
| 8/2 to 8/8 | Review OSP and PMP reports, draft letters, Review Effectiveness report, draft letter |
| 8/9 to 8/15 | Start review semi-annual report, review U-info sheet, weekly meeting, scheduling |
| 8/16 to 8/22 | Continue review, field inspection, start drafting field inspection |
| 8/23 to 8/29 | Field inspection, weekly meeting, draft U comments, start draft inspection report |
| 8/30 to 9/5 | Complete inspection reports, filing, call, meeting, update manager, draft letter |
| 9/6 to 9/12 | Scheduling, SEGES meeting, filing, review report, email |
| 9/13 to 9/19 | Weekly meeting, Group 1 WRP and TFCD inspection, email |
| 9/20 to 9/26 | VOQ mtg, review: Spring 13 prelim dwgs, Molino Ditch removal tails, Flume dwgs. |
| 9/27 to 9/30 | Weekly meeting, finalize comment letters, email |

D. Planned Activities for the next Quarter: The following activities are anticipated during the forthcoming 1st Quarter of FFY22, from October 1 through the end of December 2021:

- **Spring 13 french drain repairs, SEGES extraction wells and Molino Ditch excavation.**
- Agency review of several submittals by CMI.
- MMD to decide whether or not to perform cover depth sampling on completed cover at Tailings Facility Cover Demonstration Pilot Project.
- Continued steps toward ROD amendment and PCD Amendment for transfer of substantive requirements of NPDES permit under CERCLA.

- MMD's CERCLA oversight staff continue monthly inspections in July through September 2021 and staff continue to be available for planning assistance for any Removal Action tasks overlapping with upcoming State permit projects, or for work performed at either of the Questa site's Demonstration and Pilot Projects.

E. Other Issues None

F. Contracts and Expenditures

1. Work Orders (WO) (*Section may not apply*)

The total contract services WOs approved prior to this quarter totals \$00,00. MMD anticipated the possibility of approving additional WOs in the recent or coming Quarters, if needed. All WO and WO amendments for contract services through the 4th Quarter of FFY21 under this cooperative agreement are listed below.

| Contractor | Work Order | Dated | Amount | Comments |
|------------|------------|-------|--------|----------|
| | | | | |
| W.O. TOTAL | | | | |

2. Contractual Services Expenditures (*Section may not apply*)

Expenditures for contractual services during the 4th Quarter FFY21 are described in the table below.

| Contractor | Payment date | Amount | Comments |
|------------|--------------|--------|----------|
| | | | |
| TOTALS | | | |

G. Administrative Activities

- EMNRD/MMD staff is currently initiating purchase documents, payment vouchers, and journal entries related to EPA financial transactions.
- EMNRD/MMD audits MMD/EPA employee timesheets and personal activity reports (PARs) submitted on a bi-weekly basis.
- EMNRD/MMD prepares quarterly EPA Cost Package and submits to NMED for reimbursement.
- EMNRD/MMD staff prepares Progress Report and submits on a quarterly basis.
- All financial, payroll and new hire related transactions are reviewed and processed by EMNRD/Administrative Services Division.

H. Progress Reporting:

This is the 16th progress report under EPA Assistance Agreement *V-01F38201-2*.